

REMARKS

Reconsideration of this application as amended is respectfully requested.

Claims 1-34 were pending and rejected. In this response, claims 24 and 31 have been canceled without prejudice. Claims 1, 10, 19-20, 25-26, and 32-33 have been amended. No new matter has been added.

Claims 1-34 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 2001/0047517 to Christopoulos, et al. ("Christopoulos") in view of ISO/IEC JTC 1/SC 29/WG 1 N1646 ("JPEG 2000 IMAGE CODING SYSTEM", ISO/IEC JTC 1/SC 29WG 1, JPEG 2000, 16 March 2000, (hereafter referred to as N1646).

Although Applicant does not believe the Examiner is correct that cited sections of Christopoulos are entitled to its provisional filing date, Applicant has amended the independent claims of the present application including limitations that are not disclosed or suggest by the cited references. Applicant reserves the right to swear behind Christopoulos.

In view of the foregoing amendments, it is respectfully submitted that the present invention as claimed include limitations that are not disclosed or suggested by Christopoulos and N1646, individually or in combination.

Specifically, for example, independent claim 1 includes a progression order conversion parser to convert a codestream from one progression order to another progression order based on information derived from one or more markers embedded within the codestream, where the markers also indicate how data of the codestream should be handled during the progression order conversion. Thereafter, the markers are updated according to the target progression order. It is respectfully submitted that the above limitations are absent from Christopoulos and N1646.

Rather, Christopoulos relates to converting multimedia data from one format to another format based on the hints embedded in each data packet, which is not the same as progression order conversion. *See* Christopoulos, Figs. 1-2; paragraphs 35-36. As acknowledged by the Examiner, Christopoulos fails to disclose converting progression order of a codestream. However, the Examiner maintains that N1646 discloses progress order conversion. Specifically, the Examiner contended that the COD markers described in section B11.1 of N1646 are used in converting progression order (see, 10/3/2006 Office Action, pp. 4-5).

Applicant respectfully disagrees. The cited section of N1646 merely defines various types of progress order. Specifically, N1646 states that “[t]he COD markers signal which of the five progression orders are used.” *See* N1646, p. 68. Thus, the cited section of N1646 only describes the definition of different progress orders which may be indicated by COD markers. That is, the COD markers of N1646 are used to indicate the current progression order of a data stream. The cited section of N1646 is not related to progression order conversion.

In contrast, claim 1 of present application requires that one or more markers also indicate how the data should be handled during the progression order conversion, which is completely absent from N1646.

In addition, there is no suggestion within Christopoulos and N1646 to combine with each other. Although Christopoulos mentioned JPEG 2000, Christopoulos does not use the markers available from JPEG 2000 specification. Rather, Christopoulos chose to use certain hint data in each data packet (instead of one or more markers associated with a codestream). By choosing the hint data in each packet other than the markers available from JPEG 2000 specification, Christopoulos teaches away from the ideas of using markers to indicate how a progression order conversion to be performed. Therefore, for the reasons set forth above, it is

respectfully submitted that one with ordinary skill in the art would not combine Christopoulos with N1646.

Even if Christopoulos and N1646 were combined, such a combination still lacks the limitations set forth above. Therefore, for the reasons set forth above, it is respectfully submitted that claim 1 as amended is patentable over Christopoulos and N1646.

Similarly, independent claims 10 and 19-20 include limitations similar to those recited in claim 1. Thus, for the reasons similar to those set forth above, claims 10 and 19-20 are patentable over Christopoulos and N1646. Given that the rest of the claims depend from one of the above independent claims, it is respectfully submitted that the rest of the claims are also patentable over Christopoulos and N1646. Withdrawal of the rejections is respectfully requested.

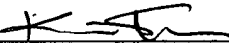
In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

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